

Appl. No.: 10/662,640
P-5803

REMARKS

Claims 4, 8-10, and 15 have been canceled without prejudice or disclaimer. Therefore, claims 1-3, 5-7, 11-14, and 16-19 remain pending.

Restriction Requirement

In the Action dated 30-June-2005, the Examiner stated that claim 1 is generic, but required election under 35 U.S.C. 121 for the following:

- A). Agents: (as recited in claim 8);
- B). Data acquisition (as recited in claim 9);
- C). Biological response (as recited in claim 10);
- D). Statistical design (as recited in claim 15); and
- E). Agent-immobilizing material (as recited in claim 4).

Applicants have now canceled claims 4, 8, 9, 10, and 15. Accordingly, Applicants respectfully submit that MPEP § 809.02(d) ("No Species Claims") applies to the now-pending claims. MPEP § 809.02(d) states: "Where only generic claims are presented, no restriction can be required except in those applications where the generic claims recite such a multiplicity of species that an unduly extensive and burdensome search is necessary." Applicants respectfully submit that the generic claims do not recite "such a multiplicity of species."

As claims 4, 8-10, and 15 have been canceled, Applicants believe that the requirement under 35 U.S.C. 121 has been rendered moot. Examination of generic claim 1 and the remaining dependent claims is therefore respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-1666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is invited to call the Applicants' undersigned attorney at the number shown below.

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Respectfully submitted,



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